Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

General Provisions

Article Article 1 - Administration

Section 1-106.1 - System of Fees for Health Services - Limitations

Cite as: O.S. §, __ __

A. The **State Board of Health** may establish a system of fees to be charged for health services and for services rendered to members of the public in the issuance and renewal of licenses and permits by the State **Commissioner of Health** and the **State Department of Health**. This provision is subject to the following limitations:

1. No schedule of fees may be established or amended by the Board except during such times as the Legislature is in session; provided, the Board may establish or amend a schedule of fees at a time when the Legislature is not in session if the fees or schedule of fees has been specifically authorized by the Legislature or has been approved by the Contingency Review Board. The **State Board of Health** must follow the procedures required by Article I of the Administrative Procedures Act for adoption of rules and regulations in establishing or amending any such schedule of fees; and

2. The Board shall charge fees only within the following ranges, except as may be otherwise provided for in this title.

For license or permit issuance: $50.00 to $2,000.00

For license or permit renewal: $10.00 to $500.00

For health services: $25.00 to $250.00

provided further, that any facility exempt from the requirement to obtain a permit based on date of construction or start-up may be assessed an annual permit renewal fee equivalent.

B. The Board's authority to establish such a fee schedule shall extend to all programs administered by the State **Commissioner of Health** and the **State Department of Health**, regardless of whether the statutes creating such programs are codified in the Oklahoma Public Health Code.

C. The Board shall base its schedule of licensing or permitting fees upon the reasonable costs of review and inspection services rendered in connection with each license and permit program, but shall be within the ranges specified in subsection A of this section, except as may be otherwise specified in this section. The Department shall establish a system of training for all personnel who render review and inspection services in order to assure uniform statewide application of rules and regulations and the Board shall also base the fee on reasonable costs associated with the training of those personnel. Such fees shall not be used in the operation of local **health departments** whose personnel do not participate fully in applicable **State Department of Health** training and standardization programs.

D. The Board may exempt by rule any class of licensee or permittee or any class of facility or activity to be licensed or permitted from the requirements of the fee schedule if the Board determines that the creation of such a schedule for any such class would work an unreasonable economic hardship.

E. All statutory fees now in effect for health services and for the issuance and renewal of any license or permit administered by the State **Commissioner of Health** and the **State Department of Health** within the jurisdiction of the Department shall remain in effect until such time as the Board acts to implement new fee schedules pursuant to the provisions of this Code.

F. Unless a longer duration is specified for certain permits by the rules and regulations of the Board, licenses and permits issued by the **Commissioner of Health** shall be for a one-year period.

Historical Data

Laws 1984, HB 1804, c. 162, § 2, emerg. eff. May 1, 1984; Amended by Laws 1987, HB 1493, c. 206, § 16, emerg. eff. July 1, 1987; Amended by Laws 1987, HB 1473, c. 236, § 2, emerg. eff. July 20, 1987; Amended by Laws 1991, HB 1254, c. 287, § 10 (repealed by Laws 1991, HB 1762, c. 335, § 37, emerg. eff. June 15, 1991); Amended by Laws 1991, HB 1518, c. 293, § 1, emerg. eff. May 30, 1991; Amended by Laws 1991, HB 1762, c. 335, § 22, emerg. eff. June 15, 1991; Amended by Laws 1992, SB 614, c. 183, § 1 (repealed by Laws 1992, HB 2500, c. 373, § 22, emerg. eff. July 1, 1992); Amended by Laws 1992, HB 2251, c. 215, § 20, emerg. eff. May 15, 1992; Amended by Laws 1992, HB 2500, c. 373, § 12, emerg. eff. July 1, 1992; Amended by Laws 1993, HB 1238, c. 163, § 1 (repealed by Laws 1993, SB 361, c. 324, § 58, emerg. eff. July 1, 1993); Amended by Laws 1993, HB 1002, c. 145, § 308, emerg. eff. July 1, 1993; Amended by Laws 2005, HB 1276, c. 282, § 1, emerg. eff. June 6, 2005 (superseded document available).

Citationizer© Summary of Documents Citing This Document

Cite	Name	Level
Title 59. Professions and Occupations		
Cite	Name	Level
59 O.S. 61.2,	Repealed by Laws 2014, SB 1929, c. 260, § 12, eff. November 1, 2014	Cited
59 O.S. 1800.8,	Application for Company License - Contents - Fees.	Cited

Citationizer: Table of Authority

Cite	Name	Level
Title 63. Public Health and Safety		
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63 O.S. 1-106.1,	System of Fees for Health Services - Limitations	Cited